

**IN THE CLAIMS:**

Please cancel claims 1-28 without prejudice or disclaimer.

Please add the following new claims 29-51:

29. (New) A crystalline adduct of mirtazapine and water containing up to about three weight percent water.
30. (New) The adduct of mirtazapine and water of claim 29 prepared by precipitation from a solvent comprising water and either an alcohol or acetone.
31. (New) The adduct of mirtazapine and water of claim 30 wherein the solvent comprises water and an alcohol.
32. (New) The adduct of claim 31 herein the alcohol is selected from the group consisting of methanol, ethanol and isopropyl alcohol.
33. (New) The adduct of mirtazapine and water of claim 31 wherein the solvent comprises water and ethanol.
34. (New) The adduct of mirtazapine and water of claim 33 wherein the solvent is an about 1:1 to about 1:4 ethanol:water mixture.
35. (New) A crystallized adduct of mirtazapine and water prepared by:
  - i) crystallizing mirtazapine from a solution comprising water;
  - ii) recovering crystallized mirtazapine; and
  - iii) drying the crystallized mirtazapine until the crystallized mirtazapine contains up to about 3 percent water.
36. (New) The adduct of mirtazapine and water of claim 35 wherein the solution also comprises an alcohol.
37. (New) The adduct of mirtazapine and water of claim 36 wherein the alcohol is selected from the group consisting of methanol, ethanol and isopropyl alcohol.
38. (New) The adduct of mirtazapine and water of claim 37 wherein the alcohol is ethanol.
39. (New) The adduct of mirtazapine and water of claim 38 wherein the solution comprises a ratio of ethanol:water ranging from about 1:1 to about 1:4.

40. (New) A process for preparing crystallized mirtazapine comprising the steps of:
- i) dissolving mirtazapine in an organic solvent, thereby forming a solution;
  - ii) adding water to the solution;
  - iii) precipitating mirtazapine; and
  - iv) drying the precipitated mirtazapine under conditions sufficient to produce crystallized mirtazapine having up to about 3% by weight water.
41. (New) The process of claim 40, wherein the organic solvent is selected from the group consisting of methanol, ethanol, and isopropyl alcohol.
42. (New) The process of claim 40, wherein the drying conditions comprise elevated temperature and reduced pressure.
43. (New) The process of claim 42, wherein the elevated temperature is about the reflux temperature of the organic solvent.
44. (New) The process of claim 40, wherein the dissolving step comprises refluxing the organic solvent.
45. (New) The process of claim 40, wherein the adding step comprises adding water dropwise to the solution.
46. (New) The process of claim 40, wherein the precipitating step comprises cooling the solution to about 10 °C.
47. (New) The process of claim 41,
- wherein the dissolving step comprises refluxing the organic solvent;
  - wherein the adding step comprises adding water dropwise to the solution;
  - wherein the precipitating step comprises cooling the solution to about 10 °C; and
  - wherein the drying conditions comprise heating the precipitated mirtazapine to the reflux temperature of the organic solvent under reduced pressure.
48. (New) The process of claim 41,
- wherein the organic solvent is ethanol; and
  - wherein the yield of crystallized mirtazapine is about 90% or greater.
49. (New) The process of claim 48, wherein the yield is greater than 90%.
50. (New) The process of claim 48, wherein the yield is about 95% or greater.
51. (New) The process of claim 48, wherein the yield is greater than 95%.